

California Regional Water Quality Control Board
Santa Ana Region

June 4, 2004

ITEM: 16

SUBJECT: General NPDES Dairy Permit Re-Issuance Schedule

DISCUSSION:

Board Order No. 99-11, NPDES No. CAG018001, General Waste Discharge Requirements for Concentrated Animal Feeding Operations (Dairies and Related Facilities) Within the Santa Ana Region (General Dairy Permit), was adopted by the Regional Board on August 20, 1999. Provision B.3. of this order reads, as follows:

- "3. This order expires on August 1, 2004. However, it shall continue in force and effect until a new general permit is issued. All dischargers authorized to discharge under the expired permit may continue to discharge waste in accordance with that permit until a new permit is issued."

On January 22, 2004 the Regional Board adopted Resolution R8-2004-0001, amending the Water Quality Control Plan for the Santa Ana River Basin (Basin Plan) to incorporate an updated total dissolved solids (TDS) and nitrogen management plan for the Region. This Basin Plan amendment has been submitted to the State Water Resources Control Board (State Board) for consideration, and when approved by the State Board, it will be submitted to the Office of Administrative Law (OAL) for consideration. Surface water provisions of the amendment will then be submitted to U.S. EPA for approval. However, after approval by OAL, the groundwater provisions of the amendment, including the TDS and nitrogen management plan, will be effective.

The TDS and nitrogen management plan, if approved, contains important features related to assimilative capacity in groundwater basins that should be included in the re-issued General Dairy Permit, and because of this, staff proposes to delay re-issuance of the General Dairy Permit until after the groundwater provisions of the Basin Plan amendment have been approved. As shown in Provision B.3. above, Order No. 99-11 will simply continue in effect, until it is re-issued.

The Basin Plan Amendment has been scheduled for consideration by the State Board at its September meeting. OAL consideration would follow. Given this tentative schedule, staff proposes to release a draft of the revised General Dairy Permit by no later than August 17, 2004. A workshop for this permit would be held at the September 17, 2004 Regional Board Meeting, and staff proposes to present the permit for consideration at the Board's November 5, 2004 meeting.